

IN THE CLAIMS

Please amend the claims to read as follows:

LISTING OF CLAIMS:

1. (Currently Amended) A ~~battery comprising a nickel positive electrode active material, the nickel positive electrode active material~~ comprising nickel hydroxide particles and at least one rare earth compound, the at least one rare earth compound having characteristics produced by treating a rare earth oxide with an aqueous alkaline solution and an oxidizing agent.

2. (Currently Amended) A nickel positive electrode active material according to claim 1, wherein the rare earth compound is at least one selected from the group consisting of: (a) a yttrium compound having characteristics produced by treating yttrium oxide with an aqueous alkaline solution and an oxidizing agent, (b) a lutetium compound having characteristics produced by treating lutetium oxide with an aqueous alkaline solution and an oxidizing agent, and (c) a ytterbium compound having characteristics produced by treating ytterbium oxide with an aqueous alkaline solution and an oxidizing agent.

3. (Original) A nickel positive electrode active material according to claim 1, wherein a total amount of the rare earth compound is in the range of 0.1 to 4.0 wt% based on the nickel hydroxide particles.

4. (Currently Amended) A nickel positive electrode active material according to claim 2, wherein the rare earth compound is a combination of the yttrium compound and the lutetium compound, wherein the two compounds meet satisfy the relation  $50 \geq X \geq 5$ , when weights of the yttrium compound and the lutetium compound are (100-X)% by weight and X% by weight, respectively.

5. (Currently Amended) A nickel positive electrode active material according to claim 2, wherein the rare earth compound is a combination of the ytterbium compound and the lutetium compound, wherein the two compounds meet satisfy the relation  $50 \geq X \geq 5$ , when weights of the ytterbium compound and the lutetium compound are (100-X)% by weight and X% by weight, respectively.

6. (Original) A nickel positive electrode active material according to claim 1, wherein the aqueous alkaline solution is an aqueous solution containing at least one selected from the group

consisting of lithium hydroxide, sodium hydroxide and potassium hydroxide.

7. (Original) A nickel positive electrode active material according to claim 1, wherein the oxidizing agent contains at least one selected from the group consisting of an aqueous sodium hypochlorite solution and an aqueous potassium hypochlorite solution.

8. (Previously Presented) A nickel metal hydride storage battery comprising:

a positive electrode mainly comprising a positive electrode active material, the positive electrode active material comprising nickel hydroxide particles and at least one rare earth compound, the at least one rare earth compound having characteristics produced by treating a rare earth oxide with an aqueous alkaline solution and an oxidizing agent;

a negative electrode mainly comprising a hydrogen-absorbing alloy; and

a separator.

9. (Previously Presented) A nickel positive electrode active material comprising nickel hydroxide particles and at least one rare earth hydroxide precursor.

10. (Previously Presented) A nickel metal hydride storage battery comprising:

a positive electrode mainly comprising the positive electrode active material of claim 9,

a negative electrode mainly comprising a hydrogen absorbing alloy; and

a separator.

11. (New) The nickel positive electrode active material of claim 1 wherein the rare earth compound has a disordered crystalline structure as a result of being treated by the aqueous alkaline solution and the oxidizing agent.

12. (New) The nickel positive electrode active material of claim 1 wherein the rare earth compound is coordinated with an alkali or water molecule as a result of being treated by the aqueous alkaline solution and the oxidizing agent.

13. (New) The battery of claim 8 wherein the rare earth compound has a disordered crystalline structure as a result of being treated by the aqueous alkaline solution and the oxidizing agent.

14. (New) The battery of claim 8 wherein the rare earth compound is coordinated with an alkali or water molecule as a result of being treated by the aqueous alkaline solution and the oxidizing agent.

15. (New) The nickel positive electrode active material of claim 9 wherein the rare earth hydroxide precursor has a disordered crystalline structure.

16. (New) The nickel positive electrode active material of claim 9 wherein the rare earth hydroxide precursor is coordinated with an alkali or water molecule.

17. (New) A process for producing an electrode active material, the process comprising:

(a) treating a rare earth oxide with an aqueous alkaline solution and an oxidizing agent;

(b) producing a mixture of the rare earth oxide treated in step (a) and nickel hydroxide particles; and

(c) applying the mixture to a substrate to produce the electrode active material.